

DATE: January 25, 2007

TO: CVRC Board Directors
Mayor and Council Members

VIA: Jim Thomson, Interim Chief Executive Officer *JI*
Dana Smith, Secretary *DS*

FROM: Ann Hix, Acting Director of Community Development *AH*
Mary Ladiana, Planning Manager

SUBJECT: PUBLIC HEARING TO CONSIDER CONDITIONAL USE PERMIT PCC-07-022) FOR THE ESTABLISHMENT OF THE SOCIAL SECURITY ADMINISTRATION OFFICE AT 626 L STREET

Project Area:	Merged Chula Vista Redevelopment Project Area
Agreement:	None
Developer/Applicant	Chula Vista Social Security Building, LLC
Project Site:	626 L Street
Project Type:	Conditional Use Permit
Project Description:	<p>The applicant, Chula Vista Social Security Building, LLC, has submitted a Conditional Use Permit (CUP) application for the relocation of the Social Security Administration (SSA) offices from Third Avenue in Downtown Chula Vista to the property located at 626 L Street, west of Broadway (see Locator Map attached to the resolutions).</p> <p>The proposed modifications to the building are limited to interior tenant improvements necessary to convert the existing building interior from a roller-skating rink to an office setting. Exterior building improvements are limited to the installation of windows on the west and north elevations and enhancement of existing landscaping.</p>

ENVIRONMENTAL DETERMINATION

The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA). The project qualifies for a Class 32 categorical exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines. Thus, no further environmental review is necessary.

RECOMMENDATION:

Staff recommends that:

- a. The Chula Vista Redevelopment Corporation adopt a resolution recommending that the City Council approve Conditional Use Permit PCC-07-022 for the establishment of the Social Security Administration's office at the existing building at 626 L Street, subject to the list of conditions in the CVRC and Council Resolutions.
- b. The City Council adopt a resolution approving Conditional Use Permit PCC-07-022 for the establishment of the Social Security Administration's office at the existing building at 626 L Street, subject to the list of conditions in the CVRC and City Council resolutions.

BOARDS/COMMISSIONS RECOMMENDATIONS

At its meeting of December 7, 2006, the Redevelopment Advisory Committee reviewed and discussed the application for the proposed SSA office. The RAC considered that the site and the existing building were well suited for the SSA office. They commented that this office would be an improvement from the exiting SSA premises in Downtown Chula Vista. As part of their comments, the RAC members recommended that the project include the following revisions: 1) installation of tables and chairs at the lawn area immediately in front of the building's entrance for SSA patrons to use while they await their case; 2) planting additional trees (perhaps cypress trees) at the west building elevation to break up the boxy form of the building. The Applicant has agreed to implement those conditions.

DECISION MAKER CONFLICTS

Staff has reviewed the property holdings of the CVRC Board and City Council members and has found no property holdings within 500-feet of the boundaries of the property which is the subject of this action.

DISCUSSION:

Project Location:

The subject building is on a 1.27-acre parcel located on L Street, approximately 300 feet west of Broadway. The site contains 50 parking spaces and approximately 15% of the site is landscaped with a variety of trees, shrubs and groundcovers. The table below shows the existing uses adjacent to the subject site, as well as the land use and zoning designations:

	General Plan Designation	Zoning Designation	Existing Uses
Site	Limited Industrial (IL)	Limited Industrial (IL)	Rollerskateland Rink
North	Mixed Use – Residential (MUR)	Limited Industrial (ILP)	Industrial warehouse/single family residences
East	Mixed Use - Residential (MUR)	Commercial Thoroughfare (CT)	Gas Station w/mini mart and car wash
South	Limited Industrial (IL)	Limited Industrial (ILP)	Single family residences
West	Limited Industrial (IL)	Limited Industrial (IL)	Office Depot

Existing Building Design:

The existing building has a contemporary industrial design and is comprised of split-face and smooth concrete block painted in light brown and red colors. Building exterior articulation includes narrow columns, glass block and four service doors on the west elevation. The north elevation facing L Street has a similar wall treatment, plus two showcase windows and two wide columns that frame the main entrance door. The existing building height is 27 feet (including a parapet 2.5 feet in height) and covers approximately 40 % of the lot area. The only proposed change to the building exterior is the introduction of windows to allow additional natural light.

CUP Requirement:

The proposed SSA office is considered a public/quasi-public use under section 19.54.20 (M) of the Chula Vista Zoning Ordinance, and as such it requires the processing of a CUP to be reviewed and approved by the City Council after a recommendation by the Chula Vista Redevelopment Corporation (CVRC). CUP's are subject to the requirements of Section 19.14.060 et. seq., which states: *"The granting of a conditional use permit is an*

administrative act to authorize permitted uses subject to specific conditions because of the unusual characteristic or need to give special consideration to the proper location of said uses in relation to adjacent uses, the development of the community and to the various elements of the general plan."

Section 19.14.080 requires that the approving body (the City Council) make certain findings. These draft findings and supporting evidence are included in the CVRC and City Council resolutions that accompany this report.

ANALYSIS:

City staff has reviewed the plans for the proposed establishment of the SSA office at 626 L Street. The existing building has a total gross floor area of 22,437 square feet of space. The proposed CUP for the SSA would be for 16,210 square feet (72% of entire building), with the remaining building area for other potential future leases. The proposed SSA office, a public/quasi-public use, is an "unclassified" use and a CUP must be processed pursuant to Section 19.14.060 et. seq. of the Zoning Ordinance for the use to be permitted at this location. The building already exists and only minor modifications will be made to the building exteriors to install several windows at the north and west facades to allow additional natural light into the building's interiors. Interior tenant improvements will be done in order to convert the existing building's interior from a roller-skating rink to an office setting. Other site improvements include the repair and enhancement of the landscaped areas and irrigation systems.

Due to the limited building design changes, the focus of the analysis was on the appropriateness of the proposed "unclassified" use at this location. The two areas that merit discussion are: 1) accessibility to the site and on-site parking; and 2) landscaping improvements.

Site Accessibility/Parking:

The proposed site for the SSA office is located on L Street approximately 300 feet from Broadway and near Interstate 5 access ramp on L Street and Industrial Boulevard. The site is easily accessible by private automobile and public transit. Bus route 932 (a regional route) runs along Broadway every 15 minutes from National City to San Ysidro. This route connects to other local and regional bus routes that provide service throughout Chula Vista.

As indicated previously, the proposed SSA office is an unclassified public/quasi-public use, which does not have a specific parking requirement in the City's Zoning Ordinance. It is a governmental service office with unique functional characteristics and as such has been

evaluated in comparison to other SSA offices in the region to determine use specific parking demand requirements. The Applicant has provided a survey of offices throughout the County of San Diego and Los Angeles. Below is a table with information on the number of parking spaces available at other similarly sized SSA office locations.

SSA Location	# of Parking Spaces
Existing Chula Vista	0 (Only metered) + 4 employee
National City	20 + 4 employee
San Diego	0 (Only Metered)
El Cajon	27 + 5 employee
La Mesa	23 + 6 employee
Pacific Beach	22 + 2 employee
Oceanside	16 + 4 employee
Escondido	27 + 10 employee
San Marcos	30 + 11 employee
Los Angeles (Breed Street)	15 + Street Parking
Los Angeles (Adams Blvd)	21 + 4 employee

Information provided by the Applicant indicates that the new office would employ a total of about 30 persons (the same number as the current office on Third Avenue) who would report for two work shifts throughout the day. A number of their employees (approximately 30%) currently use public transportation. In addition, SSA recipient's visits fluctuate throughout the day, with a percentage of visitors using public transportation. The SSA also provides a shuttle service to and from various points throughout Chula Vista to the SSA facility three times during the day. Based on the regional and the Chula Vista site specific information, the 50 on-site parking spaces would more than meet parking demand. This would be a major improvement over the current location on Third Avenue, which has no public parking spaces, and only four employee spaces.

Landscaping:

The subject site currently has landscaping around the building and throughout the parking lot and circulation areas. This landscaping is based on landscape plans approved by the City and implemented as part of the construction of the building in 1994. The landscaping in some areas of the site, however, is in poor condition and in need of improvement, including replacement of the landscape material and potential repair or upgrade of the irrigation systems. A conceptual landscape plan was submitted with the CUP application. City staff is requiring that complete and detailed landscape plans be prepared at the time of

building permit application. These plans must be based on and comply with the requirements of the City's Landscape Manual.

CONCLUSION:

Due to the fairly recent development of the site, staff has identified limited design issues. The site-specific use issue (site accessibility/parking) has been adequately addressed by information provided by the applicant. Therefore, staff recommends that the CVRC and the City Council adopt the resolutions approving Conditional Use Permit PCC-07-022.

REDEVELOPMENT FISCAL IMPACT:

Issuance of Conditional Use Permit PCC-07-022 will have a neutral fiscal impact. The subject property is, and will continue, under private ownership. The Applicant, Chula Vista Social Security Building, LLC represented by Mr. Jon Isaac, will be purchasing the property from the current owner (August and Karen Carniglia). This transaction is currently in escrow. At the close of escrow, the Applicant will enter into a 10-year lease contract, with optional extensions, with the Social Security Administration for the use of the building. The private property will thus continue to generate redevelopment tax increment for the Redevelopment Agency and other taxing entities.

ATTACHMENTS:

- Attachment 1: Site and Building Plans (CVRC Board Members only – hard copy on file)
- Attachment 2: Development Application with the following appendices:
 - Appendix A - Project Description and Justification
 - Appendix B - Disclosure Statement
 - Appendix C - Development Permit Processing Agreement

PREPARED BY: Miguel Tapia, Senior Community Development Specialist

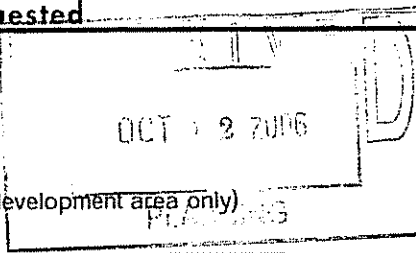


Planning & Building Department
Planning Division

APPLICATION ■ DEVELOPMENT PROCESSING ■ TYPE A
Part 1

Type of Review Requested

- ☒ Conditional Use Permit
☐ Design Review
☐ Variance
☐ Special Use Permit (redevelopment area only)
☐ Misc.



STAFF USE ONLY

Case #: PCG-07-022
Filing Date: 10/12/06 by HA
Assigned Planner: Miguel Tapia
Project Account: BB 1435
Deposit Account: 1387
Related Cases: IS-07-013
☐ Z.A. ☒ Public Hearing

Application Information

Applicant Name: CHULA VISTA SOCIAL SECURITY BUILDING, LLC
Applicant Address: 501 W. BROADWAY, SUITE A212, SAN DIEGO, CA 92101
Contact Name: JOHN ISAAC Phone: (619) 306-0606
Applicant's Interest in Property (If applicant is not the owner, the owner's authorization signature at the end of this form is required to process this request.) ☐ Own ☐ Rent ☒ Other: BUYER IN ESCROW
Architect/Agent: ANTHONY-TAYLOR CONSULTANTS Address: 304 ENTERPRISE ST., ESCANDUBO, CA 92029
Contact Name: CHRIS POST / SARAH POST Phone: (760) 738-8800
Primary contact is: ☐ Applicant ☒ Architect/Agent Email of primary contact: cpost@anthonytaylor.com
spot@anthonytaylor.com

General Project Description (all types)

Project Name: CHULA VISTA SOCIAL SECURITY OFFICES Proposed Use: GOVERNMENTAL OFFICES
General Description of Proposed Project: INTERIOR TENANT IMPROVEMENTS TO CONVERT EXISTING ROLLER RINK TO GOVERNMENTAL OFFICES
Has this project received pre-application review comments? ☐ Yes (Date: _____) ☒ No*

* BUT APPLICANT & OWNER MET WITH MIGUEL TO DISCUSS CUP SUBMITTAL REQ. AND PROCESS

Subject Property Information (all types)

Location/Street Address: 626 "L" STREET
Assessor's Parcel #: 618-021-28 Total Acreage: 1.27 Redevelopment Area (if applicable): N/A
* General Plan Designation: IL Zone Designation: IL
* Planned Community (if applicable): NA
* Current Land Use: Commercial Building Within Montgomery Specific Plan? ☐ Yes ☒ No

Proposed Project (all types)

Type of use proposed: ☐ Residential ☒ Commercial ☐ Industrial ☐ Other: _____
Landscape Coverage (% of lot): 15% Building Coverage (% of lot): 40%

**Residential Project Summary**

Type of dwelling unit(s): _____ Number of lots: _____

Dwelling units:

PROPOSED

EXISTING

1 Bedroom _____

2 Bedroom _____

3+ Bedroom _____

TOTAL _____

Density (DU/acre): _____ Maximum building height: _____ Minimum lot size: _____ Average lot size: _____

Parking Spaces:

Required by code: _____ Provided: _____

Type of parking (i.e. size; whether covered, etc.): _____

Open space description (acres each of private, common, and landscaping): _____

Non-Residential Project SummaryGross floor area: ^{ENTIRE Bldg.} 22,437 Proposed: ^{SSA} 16,210 Existing: ☒ Building Height: 26'-10"Hours of operation (days & hours): 8:30 - 5:30Anticipated number of employees: 16-20 Maximum number of employees at any one time: 16-20Number and ages of students/children (if applicable): NA Seating capacity: N/A**Parking Spaces:**Required by code: 22 Provided: 50Type of parking (i.e. size; whether covered, etc.): 18'x9' UNCOVERED**Authorization**Print applicant name: CHULA VISTA SOCIAL SECURITY BUILDING, LLC* Applicant Signature: [Signature] Date: 10/10/06Print owner name*: - SEE ATTACHED LETTER -

Owner Signature*: _____ Date: _____

*Note: Proof of ownership may be required. Letter of consent may be provided in lieu of signature.

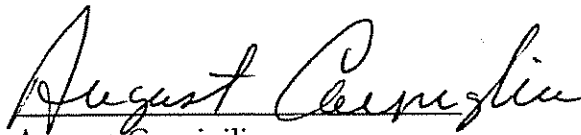
Tuesday, October 10, 2006

Re: 626 L Street, Chula Vista, CA

To Whom It May Concern:

I hereby authorize Isaac Organization LLC and/or its architects/engineers to submit a Conditional Use Permit application for building located at the above-noted address.

Thank you,

A handwritten signature in cursive script, reading "August Carniglia". The signature is written in dark ink and is positioned above the printed name.

August Carniglia
Owner
RollerSkateLand



APPLICATION APPENDIX A

Project Description & Justification

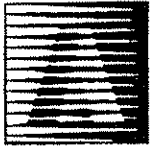
Project Name: CHULA VISTA SOCIAL SECURITY BUILDING

Applicant Name: CHULA VISTA SOCIAL SECURITY BUILDING, LLC

Please fully describe the proposed project, any and all construction that may be accomplished as a result of approval of this project, and the project's benefits to yourself, the property, the neighborhood, and the City of Chula vista. Include any details necessary to adequately explain the scope and/or operation of the proposed project. You may include any background information and supporting statements regarding the reasons for, or appropriateness of, the application. Use an addendum sheet if necessary.

For all Conditional Use Permits or Variances, please address the required "findings" as listed in the Application Procedural Guide.

Please see attached sheet.



ANTHONY-TAYLOR CONSULTANTS

Architects • Engineers • Planners

304 Enterprise Street • Escondido, California • (760) 738-8800 • (760) 738-8232 fax

PROJECT DESCRIPTION AND JUSTIFICATION

CHULA VISTA SOCIAL SECURITY ADMINISTRATION BUILDING

This application for a Conditional Use Permit (CUP) seeks approval for a governmental general office use in a IL zone. The Social Security Administration (SSA) has identified this location/building as a suitable site for the relocation of the SSA operations located elsewhere in the city of Chula Vista. Physically, the project will consist of interior tenant improvements necessary to convert the existing roller rink to a general office use and landscape enhancements. The required finding of facts exist as follows:

- 1) It is desirable, to both the SSA and the City of Chula Vista, to relocate the existing SSA operations to this location to eliminate certain negative impacts present at the existing location. Additionally, approving this application for a CUP will eliminate the concentrated gathering of teenage minors in the evening hours at this location and all of the problems that are associated with the current use.
- 2) The approval of this CUP will enhance the overall welfare of the surrounding residents due to the elimination of evening noise associated with the concentrated gathering of teenage minors.
- 3) The use contemplated in this application complies with all city regulations and conditions.
- 4) Approving this application will not adversely affect the general plan of the city.



Planning & Building Department
Planning Division | Development Processing

Disclosure Statement

Pursuant to Council Policy 101-01, prior to any action upon matters that will require discretionary action by the Council, Planning Commission and all other official bodies of the City, a statement of disclosure of certain ownership or financial interests, payments, or campaign contributions for a City of Chula Vista election must be filed. The following information must be disclosed:

1. List the names of all persons having a financial interest in the property that is the subject of the application or the contract, e.g., owner, applicant, contractor, subcontractor, material supplier.

Jon Isaac / ISAAC ORGANIZATION, LLC

2. If any person* identified pursuant to (1) above is a corporation or partnership, list the names of all individuals with a \$2000 investment in the business (corporation/partnership) entity.

Jon Isaac

3. If any person* identified pursuant to (1) above is a non-profit organization or trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

4. Please identify every person, including any agents, employees, consultants, or independent contractors you have assigned to represent you before the City in this matter.

ANTHONY-TAYLOR CONSULTANTS
AGENT: CHRIS POST
AGENT: SARAH POST

5. Has any person* associated with this contract had any financial dealings with an official** of the City of Chula Vista as it relates to this contract within the past 12 months. Yes ___ No X

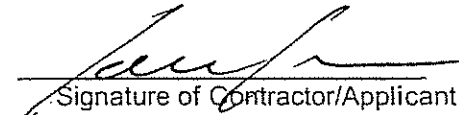
If Yes, briefly describe the nature of the financial interest the official** may have in this contract.

6. Have you made a contribution of more than \$250 within the past twelve (12) months to a current member of the Chula Vista City Council? No X Yes ___ If yes, which Council member?

7. Have you provided more than \$340 (or an item of equivalent value) to an official** of the City of Chula Vista in the past twelve (12) months? (This includes being a source of income, money to retire a legal debt, gift, loan, etc.)
Yes ___ No X

If Yes, which official** and what was the nature of item provided?

Date: 10/10/06


Signature of Contractor/Applicant

Jan Isaac
Print or type name of Contractor/Applicant

- * Person is defined as: any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, any other county, city, municipality, district, or other political subdivision, -or any other group or combination acting as a unit.
- ** Official includes, but is not limited to: Mayor, Council member, Planning Commissioner, Member of a board, commission, or committee of the City, employee, or staff members.



APPLICATION APPENDIX C

Development Permit Processing Agreement

Permit Applicant: ISAAC ORGANIZATION LLC
Applicant's Address: 501 WEST BROADWAY Suite A212
Type of Permit: CUP
Agreement Date: 10/10/06
Deposit Amount: _____

This Agreement ("Agreement") between the City of Chula Vista, a chartered municipal corporation ("City") and the forenamed applicant for a development permit ("Applicant"), effective as of the Agreement Date set forth above, is made with reference to the following facts:

Whereas, Applicant has applied to the City for a permit of the type aforereferenced ("Permit") which the City has required to be obtained as a condition to permitting Applicant to develop a parcel of property; and,

Whereas, the City will incur expenses in order to process said permit through the various departments and before the various boards and commissions of the City ("Processing Services"); and,

Whereas the purpose of this agreement is to reimburse the City for all expenses it will incur in connection with providing the Processing Services;

Now, therefore, the parties do hereby agree, in exchange for the mutual promises herein contained, as follows:

1. Applicant's Duty to Pay.
Applicant shall pay all of City's expenses incurred in providing Processing Services related to Applicant's Permit, including all of City's direct and overhead costs related thereto. This duty of Applicant shall be referred to herein as "Applicant's Duty to Pay."

1.1. Applicant's Deposit Duty.
As partial performance of Applicant's Duty to Pay, Applicant shall deposit the amount aforereferenced ("Deposit").

1.1.1. City shall charge its lawful expenses incurred in providing Processing Services against Applicant's Deposit. If, after the conclusion of processing Applicant's Permit, any portion of the Deposit remains, City shall return said balance to Applicant without interest thereon. If, during the processing of Applicant's Permit, the amount of the Deposit becomes exhausted, or is imminently likely to become exhausted in the opinion of the e City, upon notice of same by City, Applicant shall forthwith provide such additional deposit as City shall calculate as reasonably necessary to continue Processing Services. The duty of Applicant to initially deposit and to supplement said deposit as herein required shall be known as "Applicant's Deposit Duty".

2. City's Duty.
City shall, upon the condition that Applicant is no in breach of Applicant's Duty to Pay or Applicant's Deposit Duty, use good faith to provide processing services in relation to Applicant's Permit application.

2.1. City shall have no liability hereunder to Applicant for the failure to process Applicant's Permit application, or for failure to process Applicant's Permit within the time frame requested by Applicant or estimated by City.



Development Permit Processing Agreement – Page 2

2.2. By execution of this agreement Applicant shall have no right to the Permit for which Applicant has applied. City shall use its discretion in valuating Applicant's Permit Application without regard to Applicant's promise to pay for the Processing Services, or the execution of the Agreement.

3. Remedies.

3.1. Suspension of Processing

In addition to all other rights and remedies which the City shall otherwise have at law or equity, the City has the right to suspend and/or withhold the processing of the Permit which is the subject matter of this Agreement, as well as the Permit which may be the subject matter of any other Permit which Applicant has before the City.

3.2. Civil Collection

In addition to all other rights and remedies which the City shall otherwise have at law or equity, the City has the right to collect all sums which are or may become due hereunder by civil action, and upon instituting litigation to collect same, the prevailing party shall be entitled to reasonable attorney's fees and costs.

4. Miscellaneous.

4.1. Notices.

All notices, demands or requests provided for or permitted to be given pursuant to this Agreement must be in writing. All notices, demands and requests to be sent to any party shall be deemed to have been properly given or served if personally served or deposited in the United States mail, addressed to such party, postage prepaid, registered or certified, with return receipt requested at the addresses identified adjacent to the signatures of the parties represented.

4.2. Governing Law/Venue.

This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any action arising under or relating to this Agreement shall be brought only in the federal or state courts located in San Diego County, State of California, and if applicable, the City of Chula Vista, or as close thereto as possible. Venue for this Agreement, and performance hereunder, shall be the City of Chula Vista.

4.3. Multiple Signatories.

If there are multiple signatories to this agreement on behalf of Applicant, each of such signatories shall be jointly and severally liable for the performance of Applicant's duties herein set forth.

4.4. Signatory Authority.

This signatory to this agreement hereby warrants and represents that he is the duly designated agent for the Applicant and has been duly authorized by the Applicant to execute this Agreement on behalf of the Applicant. Signatory shall be personally liable for Applicant's Duty to Pay and Applicant's Duty to Deposit in the event he has not been authorized to execute this Agreement by Applicant.

4.5. Hold Harmless.

Applicant shall defend, indemnify and hold harmless the City, its elected and appointed officers and employees, from and against any claims, suits, actions or proceedings, judicial or administrative, for writs, orders, injunction or other relief, damages, liability, cost and expense (including without limitation attorneys' fees) arising out of City's actions in processing or issuing Applicant's Permit, or in exercising any discretion related thereto including but not limited to the giving of proper environmental review, the holding of public hearings, the extension of due process rights, except only for those claims, suits, actions or proceedings arising from the sole negligence or sole willful conduct of the City, its officers, or employees known to, but not objected to, by the Applicant. Applicant's indemnification shall include any and all costs, expenses, attorney's fees and liability incurred by the City, its officers, agents, or employees in defending against such claims, whether the same proceed to judgement or not. Further, Applicant, at its own expense, shall, upon written request by the City, defend any such suit or action brought against the City, its officers, agents, or employees. Applicant's indemnification of City shall not be limited by any prior or subsequent declaration by the



Development Permit Processing Agreement – Page 3

Applicant. At its sole discretion, the City may participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of any obligation imposed by this condition.

4.6 Administrative Claims Requirements and Procedures.

No suit or arbitration shall be brought arising out of this agreement against the City unless a claim has first been presented in writing and filed with the City of Chula Vista and acted upon by the City of Chula Vista in accordance with the procedures set forth in Chapter 1.34 of the Chula Vista Municipal Code, as same may from time to time be amended, the provisions of which are incorporated by this reference as if fully set forth herein, and such policies and procedures used by the City in the implementation of same. Upon request by City, Consultant shall meet and confer in good faith with City for the purpose of resolving any dispute over the terms of this Agreement.

Now therefore, the parties hereto, having read and understood the terms and conditions of this agreement, do hereby express their consent to the terms hereof by setting their hand hereto on the date set forth adjacent thereto.

Dated: 10/10/06

City of Chula Vista
276 Fourth Avenue
Chula Vista, CA

By: [Signature]

Dated: _____

By: _____

CVRC RESOLUTION NO. 2007-_____

RESOLUTION OF THE CHULA VISTA REDEVELOPMENT CORPORATION RECOMMENDING THAT THE CITY COUNCIL MAKE CERTAIN FINDINGS AND APPROVE CONDITIONAL USE PERMIT PCC-07-022 FOR THE ESTABLISHMENT OF THE SOCIAL SECURITY ADMINISTRATION OFFICE AT THE BUILDING LOCATED AT 626 L STREET, WITHIN THE MERGED CHULA VISTA REDEVELOPMENT PROJECT (SOUTHWEST SUB-AREA)

WHEREAS, the parcel, which is the subject matter of this resolution, is represented in Exhibit A attached hereto and incorporated herein by this reference, and for the purpose of general description is located at 626 L Street, Chula Vista; and

WHEREAS, on October 12, 2006 a duly verified application for a Conditional Use Permit was filed with the City of Chula Vista Planning and Building Department on behalf of the Chula Vista Social Security Building, LLC ("Applicant") for the establishment of the Social Security Administration's office at the existing building located at 626 L Street, within the Merged Chula Vista Redevelopment Project (Southwest Sub-Area) ("Project"); and

WHEREAS, the application for Conditional Use Permit PCC-07-022 has been reviewed for compliance with the California Environmental Quality Act (CEQA) and based on this review the project qualifies for a Class 32 Categorical Exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines. Thus, no further environmental review is necessary; and

WHEREAS, a hearing time and place was set by the Chula Vista Redevelopment Corporation for consideration of the Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 500 feet of the exterior boundaries of the property, at least ten (10) days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely on January 25, 2007 at 6:00 p.m. in the City Council Chambers, 276 Fourth Avenue, before the Chula Vista Redevelopment Corporation and said hearing was thereafter closed; and

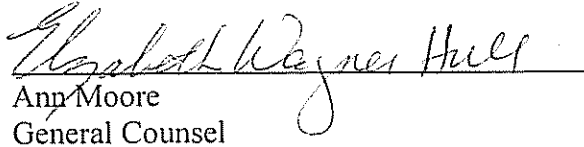
WHEREAS, the Chula Vista Redevelopment Corporation considered all reports, evidence, and testimony presented at the public hearing with respect to the application.

NOW, THEREFORE, BE IT RESOLVED THAT THE CHULA VISTA REDEVELOPMENT CORPORATION does hereby recommend that the City Council approve a resolution approving Conditional Use Permit PCC-07-022, subject to the conditions listed above, for the establishment of the Social Security Administration office at 626 L Street, within the Merged Chula Vista Redevelopment Project (Southwest Sub-Area).

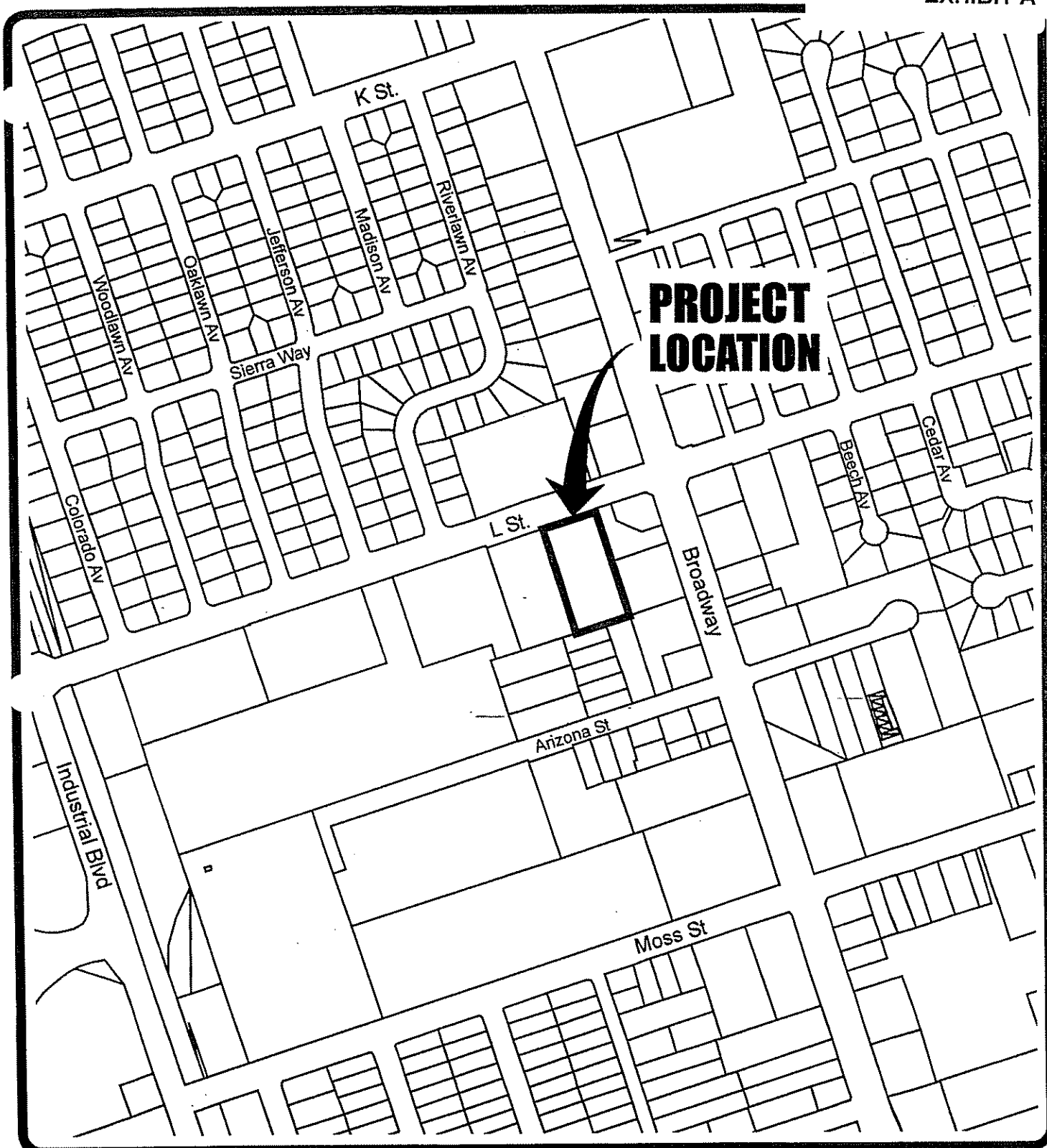
Presented by:

Approved as to form by

Ann Hix
Acting Director of Community Development


Elizabeth L. Wagner Hill
Ann Moore
General Counsel

J:\COMMDEV\CVRC\CVRC Meetings\Staff Reports\2007\01-25-06\Social Security CUP\CVRC Resolution-1.doc



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Chula Vista Social Security Building

PROJECT ADDRESS: 626 L St

SCALE: No Scale

FILE NUM: PC

PROJECT DESCRIPTION:

MISCELLANEOUS

Request: Proposing CUP to allow 16,021 Sq. Ft. Social Security Administration Offices.

3 - 19

S-07-013

RESOLUTION NO. 2007-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA MAKING CERTAIN FINDINGS AND
APPROVING CONDITIONAL USE PERMIT PCC-07-22 FOR
THE ESTABLISHMENT OF THE SOCIAL SECURITY
ADMINISTRATION OFFICE AT THE BUILDING LOCATED
AT 626 L STREET, WITHIN THE MERGED CHULA VISTA
REDEVELOPMENT PROJECT (SOUTHWEST SUB-AREA)

A. RECITALS

1. Project Site

WHEREAS, the parcel, which is the subject matter of this resolution, is represented in Exhibit A attached hereto and incorporated herein by this reference, and for the purpose of general description is located at 626 L Street; and

2. Project; Applications for Discretionary Approval

WHEREAS, on October 12, 2006 a duly verified application a Conditional Use Permit (PCC-07-022) was filed with the City of Chula Vista on behalf of the applicant requesting a conditional use permit enable the establishment of the Social Security Administration office at the building located at 626 L Street ("Project"); and

WHEREAS, the proposed project was reviewed for compliance with the California Environmental Quality Act (CEQA). The project qualifies for a Class 32 categorical exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines. Thus, no further environmental review is necessary; and

3. Chula Vista Redevelopment Corporation and City Council Record on Application

WHEREAS, the Chula Vista Redevelopment Corporation held an advertised public hearing on this Project on January 25, 2007, and voted _____ to recommend that the City Council approve Conditional Use Permit PCC-07-022, in accordance with the findings listed below; and

WHEREAS, the proceedings and all evidence introduced on this Project before the Chula Vista Redevelopment Corporation at their public hearing held on January 25, 2007, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding; and

WHEREAS, a duly called and noticed public hearing on Conditional Use Permit PPC-07-022 was held before the City Council of the City of Chula Vista to receive the recommendation of the Chula Vista Redevelopment Corporation, and to hear public testimony with regard to the same.

WHEREAS, the City Council held an advertised public hearing on the project on January 25, 2007, at 6:00 p.m. in the Council Chambers at 276 Fourth Avenue and, after hearing staff presentation and public testimony, the Council voted _____ to approve Conditional Use Permit PCC-07-022 in accordance with the findings listed below.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby find, determine, and resolve as follows:

B. ENVIRONMENTAL DETERMINATION

The proposed project was reviewed for compliance with the California Environmental Quality Act (CEQA) and based on this review the project qualifies for a Class 32 categorical exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines. Thus, no further environmental review is necessary.

The City Council finds that, in the exercise of its independent judgment, as set forth in the record of its proceedings, the application for Conditional Use Permit PCC-07-022 is exempt from environmental review as a Class 32 categorical exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines.

C. CONDITIONAL USE PERMIT FINDINGS

The City Council does hereby make the findings required by CVMC 19.14.080 for the issuance of conditional use permits, as herein below set forth, and sets forth, there under, the evidentiary basis that permits the stated findings to be made.

1. *That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community.*

The proposed use is necessary at the proposed location in order to continue to provide the community with the services provided by the Social Security Administration. As the SSA office located in Downtown Chula Vista closes, another facility must be made available to the SSA to provide its services to the community. The issuance of the Conditional Use Permit will implement the policies of the General Plan by allowing the establishment of a public/quasi-public use (SSA office) that provides beneficial services to the community and will provide a facility with all the appropriate amenities, which will facilitate the effective and efficient delivery of federal services to the community. The location of the use at this site meets the needs of the larger community.

2. *That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.*

The location of the SSA office at 626 L Street will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity or injurious to property or improvements in the vicinity. The use will provide a good service to the community in a way that will not cause any problems to the surrounding vicinity because the use complies with the rules and regulations of the City of Chula Vista. It is a use that does not pose any problems to the area because the site and the building have all the required amenities to accommodate visitors, employees and administrators. The facilities have ample parking spaces, appropriate site access and circulation and easy access to public and private transportation systems. The proposed use is a governmental office that provides beneficial services to the community.

3. *That the proposed use will comply with the regulations and conditions specified in this code for such use.*

The use, as proposed, complies with the regulations of the Zoning Ordinance in terms of building requirements, parking, landscaping, access and circulation. The conditions imposed on the project, as shown in the list of conditions attached to this resolution, will insure that the use complies with all requirements of the City of Chula Vista and that the use will not be detrimental to those persons and improvements in the vicinity.

4. *That the granting of this conditional use will not adversely affect the General Plan of the City or the adopted plan of any government agency.*

The Conditional Use Permit will not adversely affect the General Plan of the City because its issuance is consistent with the policies and guidelines of the General Plan. The issuance of the Conditional Use Permit will implement the policies of the General Plan by allowing the establishment of a public/quasi-public use (SSA office) that provides beneficial services to the community and will provide a facility with all the appropriate amenities, which will facilitate the effective and efficient delivery of federal services to the community. The location of the use at this site meets the needs of the larger community. The issuance of the Conditional Use Permit PCC-07-022 is consistent with the City of Chula Vista General Plan and is supported by public necessity, convenience, general welfare, and good zoning practice.

D. CONDITIONS OF APPROVAL

Prior to the issuance of any permits required by the City of Chula Vista for the use of the subject property in reliance upon this approval, the applicant shall satisfy the following requirements:

1. The subject property shall be maintained in substantial conformance with the approved application, plans, and color and material board, except as modified herein.
2. Applicant shall submit all final interior and exterior design plans, landscape and irrigation plans, solid waste and recycling plans for review and approval prior to the issuance of building permits.

3. Prior to issuance of Certificate of Occupancy, Applicant shall install a set of benches and tables, as approved by the Landscape Planner, at the lawn area immediately in front of the building's entrance for SSA office patrons.
4. Prior to the issuance of Certificate of Occupancy, additional trees shall be planted, as approved by the Landscape Planner, along the western building elevation to break up the boxy form of the building.
5. The windows to be installed at the north and west building facades shall be subject to the review and satisfaction of the Police Department.
6. The applicant/owner shall comply with all applicable federal, state, and local requirements, and in any case where it does not comply, this permit is subject to modification or revocation.
7. This permit shall become void and ineffective if not used or extended within one year from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code.
8. This permit shall be subject to any and all new, modified, or deleted conditions imposed after approval of this permit to protect the public from a specific condition dangerous to its health or safety or both due to the project, which condition(s) the City shall impose after advance written notice to the permittee and after the City has given the permittee the right to be heard with regard thereto. However, the City in exercising this reserved right/condition, may not impose a substantial expense or deprive permittee of a substantial revenue source which the permittee cannot, in the normal operation of the use permitted, be expected to economically recover.
9. The applicant shall and does hereby agree to indemnify, protect, defend, and hold harmless the City, its Council members, officers, employees, agents, and representatives from and against all liabilities, losses, damages, demands, claims, and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising directly or indirectly from a) City's approval and issuance of this permit, b) City's approval or issuance of any other permit or action, whether discretionary or non discretionary, in connection with the use contemplated herein, and without limitation, any and all liabilities arising from the operation of the facility. Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The applicant's compliance with this provision is an express condition of this permit and this provision shall be binding on any and all of the applicant's successors and assigns.

Applicant's Signature

Date

PLANNING AND BUILDING DEPARTMENT CONDITIONS

10. The plans comply, prior to issuance of building permits, with applicable codes and requirements, including but not limited to 2001 CBC, CFC, CMC, CPC, ADA, and 2004 CEC requirements.
11. Complete landscape plans shall be provided with the building permit submittal for review and approval of the Landscape Planner. Landscape plans shall be complete and satisfy all requirements of the City Landscape Manual prior to issuance of building permits.
12. Landscape design shall provide adequate screening of the parking area from the public right of way per the requirements of the City Landscape Manual and the City Design Manual. A small turf area would be considered appropriate and correct, however a hedgerow or some other design solution for parking lot screening needs to be provided. The ultimate design should be provided on the detailed landscape plan submitted with the building permit application.
13. The current irrigation system needs to be analyzed and brought up to current industry and city standards. Provide this information on the detailed landscape plan submitted with the building permit application.

FIRE DEPARTMENT CONDITIONS

14. Twenty-foot access at the site entrance and parking lot shall be provided for Fire Department vehicles at all times.
15. Any modifications to the existing Fire Alarm System shall require a separate submittal to the Chula Vista Fire Department Prevention Division.
16. Plans submitted to the Fire Department shall include the location of the nearest fire hydrants.
17. Plan check fees shall be required for verification of existing life safety systems (fire sprinklers, fire alarm and fire hydrants).
18. Minimum size Fire Extinguishers shall be 2A10BC and shall be located every 75 feet of travel.
19. Knox Box shall be required for Fire Department access to the building front entrance and fire riser room. Order forms are available through the Fire Department.
20. Policy 2916 (construction site policy for compliance with fire safety provisions) shall be signed and included with submitted plans.
21. Plans shall include information on sprinkler density for this building and include placard information from riser.

GENERAL SERVICES DEPARTMENT CONDITIONS

22. The applicant shall develop and submit a Recycling and Solid Waste Management Plan for construction and demolition debris through to occupancy to the Environmental Services Program Manager for review and approval as part of the permit process.
23. The plan shall demonstrate those steps the Applicant will take to comply with Municipal Code, including but not limited to Section 8.24, 8.25 and 19.58.340 and meet the State mandate to reduce or divert at least 50% of the waste generated by all residential, commercial and industrial developments (including demolition and construction phases).
24. The applicant shall contract with the City's franchise hauler throughout the construction and occupancy phases of the project.

ENGINEERING CONDITIONS:

25. Prior to the issuance of building permits, Applicant shall obtain a construction permit from the Engineering Department to perform any work required within the public right-of-way.
26. Prior to the issuance of Certificate of Occupancy, Applicant shall repair or replace sections of the sidewalk in front of the property that may cause a trip hazard next to the SDG&E vault.
27. Prior to the issuance of Certificate of Occupancy, Applicant shall replace or repair the section of driveway apron and gutter that is cracked and broken at the west entrance to the property.
28. All driveways must comply with ADA requirements. Pedestrian ramps, where required, shall be constructed per ADA standards and approved by the City.
29. Applicant shall pay the applicable Engineering fees based on the final plans submitted.

E. GOVERNMENT CODE SECTION 66020(d)(1) NOTICE

Pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to follow timely this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition. The right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project; and it does not apply to any fees, dedication, reservations, or other exactions which have been given notice similar to this, nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

F. INVALIDITY; AUTOMATIC REVOCATION

It is the intention of the City Council that its adoption of this Resolution is dependent upon the enforceability of each and every term, provision, and condition herein stated; and that in the event that any one or more terms, provisions, or conditions are determined by a Court of competent jurisdiction to be invalid, illegal, or unenforceable, this resolution and the permit shall be deemed to be automatically revoked and of no further force and effect ab initio.

BE IT FURTHER RESOLVED that the Chula Vista City Council does hereby: determined that the project qualifies for a Class 32 categorical exemption pursuant to Section 15332 (In-fill Development Projects) of the State CEQA Guidelines and thereby approves Conditional Use Permit PCC-07-022, subject to conditions listed above, for the establishment of the Social Security Administration office at the building located at 626 L Street, within the Merged Chula Vista Redevelopment Project (Southwest Sub-Area).

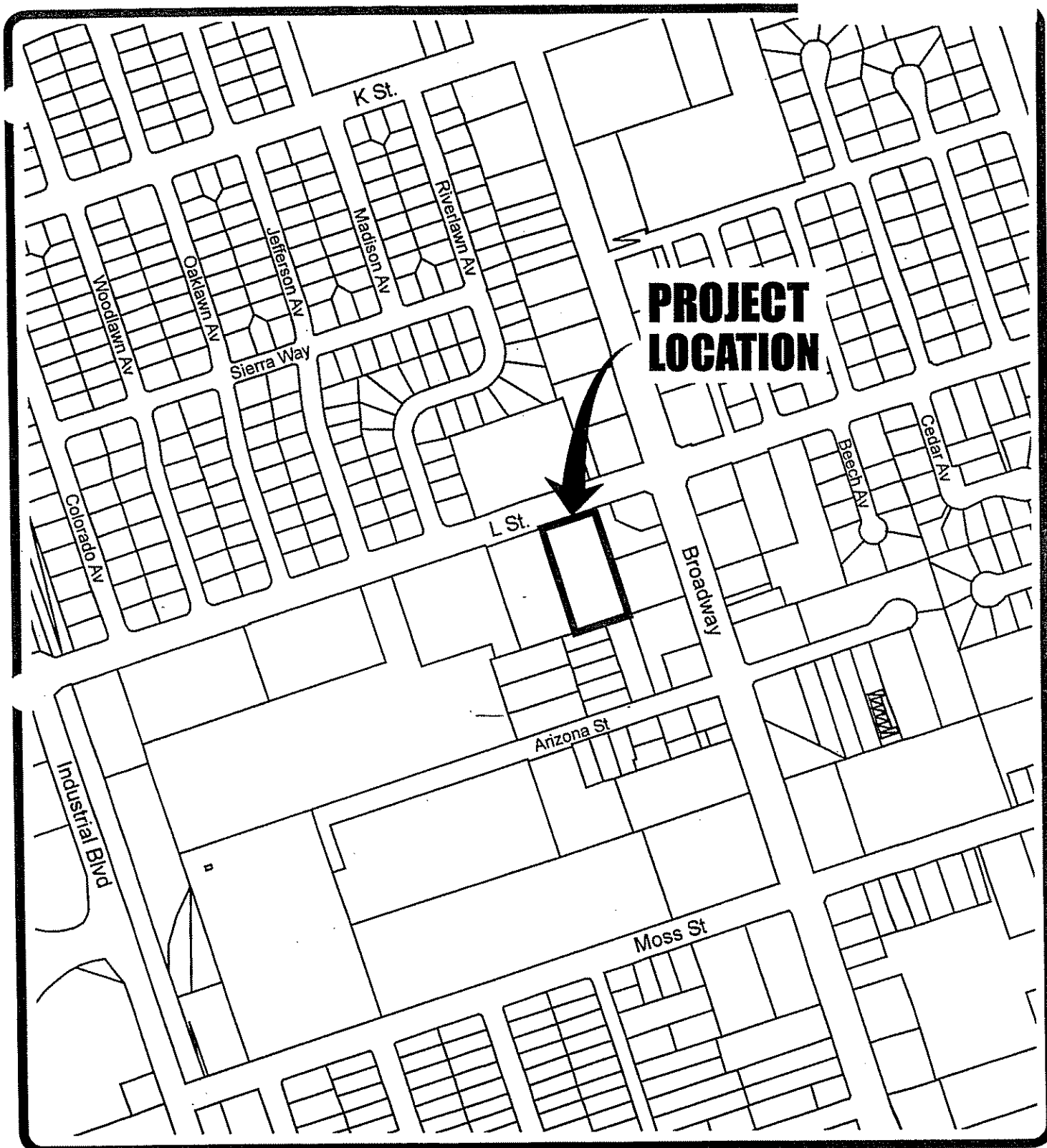
Presented by:

Approved as to form by

Ann Hix
Acting Director of Community Development


Ann Moore
City Attorney

J:\COMMDEV\CVRC\CVRC Meetings\Staff Reports\2007\01-25-06\Social Security CUP\CC Resolution-1.doc



CHULA VISTA PLANNING AND BUILDING DEPARTMENT

LOCATOR



NORTH

PROJECT APPLICANT: Chula Vista Social Security Building

PROJECT ADDRESS: 626 L St

SCALE: No Scale

FILE NUMBER: PC0

PROJECT DESCRIPTION:

MISCELLANEOUS

Request: Proposing CUP to allow 16,021 Sq. Ft. Social Security Administration Offices.

3 - 27

-07-013